

The Minutes of a Regular Meeting of the City Council.
Austin, Texas, Oct. 16, 1893.

Hon. John W. McDonald, Mayor, presiding.

(Roll Call.)

Alderman	Present - 21.
Anderson	Miller
Bessmann	Nitschke
Dawson	North
Fischer	Platt
Glass	Pewell
Hancock	Raymond
Hume	Schneider
Jackson	Schubert
Ketchum	Shelley
Linn	Taylor
	Townsend

Absent - 1.

Alderman -

Minutes.

Alderman Linn moved that the minutes of the meetings of the City Council which were held on the second and tenth day of October, 1893, be adopted as printed, and the motion prevailed.

Memorials, Petitions, Etc.

By Alderman Anderson -

A petition from the pastor and members of the Swedish Lutheran Church situated on the corner of Sixteenth Street and Congress Avenue requesting the Council to place a light at that point.

Alderman Anderson moved that the Committee on Water and Light be instructed to place the light as requested, the rate to be paid for the light to be the same as is now being paid by the City for other street lights.

Alderman Nitschke moved to amend the motion by instructing the Committee to also place a light near the church at the corner of Fifteenth and Red River Streets. The amendment was accepted.

Alderman Raymond moved to amend the motion made by Alderman Anderson by directing the Committee to place a light near the church situated on Twenty-fourth Street. Accepted.

Alderman Linn then moved to amend the original motion as amended by adding thereto - provided each light shall not cost the City exceeding \$2.50 per month. The amendment was accepted and the motion as amended was adopted.

Reports of City Officers.

The City Attorney, to whom was referred the petition of W. H. Dohm for alleged damage to land claimed to have been caused by the establishment by the City of Austin of a small pox camp thereon and the burial of the remains of persons who died of small-pox near said land, presented a report wherein it is stated, "that in my opinion

you have the legal right to pay the claim of W.H. Tobin, if you have found the same to be a just claim against the city, notwithstanding the same might be defeated by a plea of the statute of limitations should suit be brought thereon." The opinion was laid over to come up under the head of new business.

The following opinion was also presented:

"Oct. 9, 1893.

W.H. Tobin.

To the Honorable City Council:

Gentlemen - The petition of John Southgate should in my opinion be granted, and the mayor authorized to execute a deed to James O'Dillingworth in confirmation of the deed executed by W.A. Taylor while acting as mayor of the city of Austin.

(Respectfully,

Geo. F. Pendexter,
City Attorney."

J.N. moved that the petition of John Southgate be granted and the motion prevailed.

Reports of Committees.

Alderman Shelley, for the Committee on Claims and Accounts presented a report recommending the payment of the claim of W.H. Tobin for damages to land by reason of location of small pox camp. It was laid over to be considered under the head of new business.

Alderman Shelley presented the following report:

Austin, Oct. 16,

Hon. John Mc Donald, Mayor, and Board of Aldermen,
City of Austin:

Gentlemen - Your claim and accounts committee, to whom was referred the communication of Messrs. Delardova & Son, agents of S.J. Drake, relative to the assessment of property owned by Mr. Drake in Fairview Park and South Austin, beg leave to return the same herewith and call your attention to the provisions of an ordinance recently passed by this body amending an ordinance creating the board of equalization, which provides that the board of equalization may sit at anytime within 60 days from date of adjournment for the purpose of correcting errors. It will be noted that the communication bears date of Sept. 21, 1893, at which date the board of equalization was in session and so remained until the 2nd day of October, at 5 o'clock p.m. giving claimants ample time to appeal and show cause why the assessment or value should be reduced. It is a matter of regret to your committee that we are unable to find an ordinance or any provision in the city charter through which relief can be had, by reason of the fact Mr. Newing did not recognize the right of the city to include Fairview Park and South Austin within its limits. Considering as we do that the legislature has full power to grant the charter, in which the city limits are described by miles and bounds, we are constrained to call your attention to the provisions of Section 21, page 10, of said charter.

De Cardova & Son
regarding
taxes of
S.J. Drake.

which provides the manner of appeal from the action of the board of Segregation.

(W. L. Shelley,
Chas. P. Raymond,
R. Platt.)

City Cemetery.

The report was adopted.

Alderman Platt, for the Committee on Cemetery, to whom was referred a communication from the Ladies Cemetery Association asking the Council to properly care for 32 single graves, lots and large tracts of paper burial ground in the City Cemetery, and to provide hitching posts at various places in the Cemetery, presented a report which recommends that the work suggested be attended to, and that an accompanying ordinance making an appropriation for the purposes named be passed.

The report was laid over to be taken up under the head of new business.

Wash. S. F. E. Co. #1.
taxes.

Alderman North, for the Committee on Ordinances, to whom was referred the petition of members of Washington S. F. E. Co. No. 1, requesting the City Council to appropriate the sum of \$45.83 for the purpose of paying the amount assessed against the property of the Company for city taxes for the year 1892, the property being used exclusively for fire protection, presented a report which recommended that the petition be granted and that the sum of \$45.83 be appropriated as requested.

The report was adopted.

Alderman Taylor presented the following report:

To the Mayor and Board of Aldermen of the City
of Austin:

Bull
Creek

Bridge

Gentlemen—Your Special Committee appointed to investigate the claims of the citizens of Travis County in reference to a bridge over Bull Creek and to confer with the Commissioners Court in relation thereto, beg leave to report as follows:

We have visited the creek and have made a thorough survey of it and the surrounding country, and find that the road and crossing known as Bull Creek road has been submerged by the backwater from the City dam, and by reason thereof all travel on said road has been suspended.

That the pontoon bridge erected by the City at the said crossing has been carried away by one of the recent rises, and now lies on dry ground about one-half mile from the place where it was erected.

We have conferred with the Commissioners Court, and that body, by a resolution, unanimously adopted, have signified a willingness to cooperate with the City and to bear one-half of the expense in bridging Bull Creek and cutting a road from there to the Mount Bonnell road at or near the stated place.

After a careful review of the whole matter we are of the opinion that it would be folly to set up the old pontoon and put it back in position, as it would in no wise answer the demands of that section and would be a constant source of danger and expense. Wherefore we recommend that an appropriation of \$1500, or so much thereof as is necessary be voted out of the other and light funds to cover

" One-half of the cost of the erection of a substantial and permanent bridge over Bull Creek and the cutting out of a road from said creek to the Mount Bonnell road. And we further recommend that the mayor be authorized to enter into a contract with the Commissioners Court, to pay over to said court, or its representative, one-half of the cost of making such road and building said bridge, provided it does not exceed the sum of \$1500, and that said sum shall be paid in full satisfaction of all damages accrued or hereafter accruing by reason of the submerging of the Bull Creek road and crossing by the back water from the dam.

Thomas J. Saylor,
Chas. P. Raymond,
Francis Fischer.

Alderman North moved that the following be adopted:
Resolved, That it is the sense of this Council that the Special Committee on bridging Bull Creek be authorized to co-operate with the Commissioners Court of Travis County in providing a road to and a bridge over Bull Creek at a cost to the City of Austin of not exceeding \$1500, to be paid out of the general revenue. Carried.

Alderman North moved to amend the report of the Special Committee by striking out the words "water and light" and inserting in lieu thereof "general." The amendment was accepted and the report was adopted.

New Business.

The following was read:
Office Board of Public Works.)
Austin, Tex., Oct. 16.

Hon. Mayor and City Council, Austin Tex.

Gentlemen - The enclosed memorandum of an amendment to the Contract with the Fort Wayne Electric Company for dynamos, having been recommended by Consulting Engineer J. J. Tanning, a resolution was adopted by the Board of Public Works at a meeting held on this date, requesting the City Council to authorize the mayor to execute same.

Respectfully, W. J. Oliphant,

Secretary Board of Public Works.

A motion was made and carried to adopt the report. The mayor presented the following message:

Office of Mayor,
Austin, Tex., Oct. 16.

Gentlemen of the City Council:

I respectfully recommend the following rates of taxes for the year 1898:
On general revenue, 1c on the \$100.

For public schools, 3c 1/2 on the \$100.

For interest on bonds issued prior to May 1, 1890, 10c on the \$100.
For interest and sinking fund on water works and electric light bonds 9 1/2 on the \$100.

Taxation.

"Making a total levy of 2.54 1-3 on the \$100 valuation.

Respectfully,
John McDonald,
Mayor.

Tax Levy. It was, By Aldermen North-
(The following) Ordinances were introduced:

"An Ordinance levying a tax of 91 cents
on each one hundred dollars' worth of property, within the
limits of the City of Austin for the year 1893, to pay interest
and sinking fund of the Water-works and Electric light bonds of the City
of Austin, and Confirming the sale and delivery of those heretofore
sold, and ordering the sale and delivery of the remainder."

It was read, after which a motion was made to suspend
the rules and place the same on its second reading, which
was adopted by the following vote:

Year - 21.

Aldermen -

Anderson,	Kitschke,
Hessmann,	North,
Dawson,	Platt,
Fischer,	Powell,
Glass,	Raymond,
Shaneck,	Schneider,
Hume,	Schubel,
Jackson,	Shelley,
Sketchum,	Taylor,
Linn,	Townsend,
Miller.	

The ordinance was accordingly read, after which a motion
was made to suspend the rules and place the same
on its third reading, which was adopted by the following
vote:

Year - 21.

Aldermen -

Anderson,	Kitschke,
Hessmann,	North,
Dawson,	Platt,
Fischer,	Powell,
Glass,	Raymond,
Shaneck,	Schneider,
Hume,	Schubel,
Jackson,	Shelley,
Sketchum,	Taylor,
Linn,	Townsend,
Miller.	

The ordinance was then read a third time after
which a motion was made that it do now pass, which
was adopted by the following vote.

Year - 31.

1893.

Anderson,	Kitschke,
Hessmann,	North,
Dawson,	Platt,

Fischer,
Glass,
Hancock,
Thune,
Jackson,
Ketchum,
Linn,
Miller.

Farwell,
Raymond,
Schneider,
Schubert,
Shelley,
Taylor,
Townsend,

Taxed General By Alderman North-

In Ordinance Entitled "An Ordinance providing for the levy and collection of a tax of Twenty Cents on each one hundred dollars worth of property within the limits of the City of Austin for the year 1893."

It was read, after which a motion was made to suspend the rules and place the ordinance on its second reading, which was adopted by the following Vote:

Yeas- 21.

Aldermen-

Anderson,
Kissmann,
Dawson,
Fischer
Glass,
Hancock,
Thune,
Jackson,
Ketchum,
Linn

Miller,
Kitschke,
North,
Blatt,
Farwell,
Raymond,
Schneider,
Schubert,
Shelley,
Taylor,
Townsend.

The ordinance was accordingly read after which a motion was made to suspend the rules and place the same on its third reading, which was adopted by the following vote:

Yeas- 21.

Aldermen-

Anderson,
Kissmann,
Dawson,
Fischer
Glass,
Hancock,
Thune,
Jackson,
Ketchum,
Linn,

Miller,
Kitschke,
North,
Blatt,
Farwell,
Raymond,
Schneider,
Schubert,
Shelley,
Taylor,
Townsend.

This ordinance was then read a third time and an order issued by the presiding officer.

Approved 3.1.

Witnesses -

Anderson.
Kissmann.

Kitschke.
North.

Dawson,	North,
Fischer,	Platt,
Glass,	Powell,
Hancock,	Raymond,
Hume,	Schneider,
Jackson,	Schuber,
Ketchum,	Shelley,
Linn,	Taylor,
	Townsend.

Tax-School

By Alderman North-

An Ordinance Entitled "An Ordinance levying a tax of one-third of one per cent for the support and maintenance of the public Schools within the city of Austin for the year 1893."

It was read, whereupon it was moved that the rules be suspended and the ordinance placed on its second reading, which was agreed to by the following vote:

Yeaas-21.

Aldermen -

Anderson,	Nitschke,
Clasmann,	North,
Dawson,	Platt,
Fischer,	Powell,
Glass,	Raymond,
Hancock,	Schneider,
Hume,	Schuber,
Jackson,	Shelley,
Ketchum,	Taylor,
Linn,	Townsend,
	Miller.

The ordinance was accordingly read after which a motion was made to suspend the rules and place the same on its third reading which was adopted by the following vote:

Yeaas-21.

Aldermen -

Anderson,	Nitschke,
Clasmann,	North,
Dawson,	Platt,
Fischer,	Powell,
Glass,	Raymond,
Hancock,	Schneider,
Hume,	Schuber,
Jackson,	Shelley,
Ketchum,	Taylor,
Linn,	Townsend,
	Miller.

The ordinance was then read a third time and carried forward by the following vote:

Yeaas-11.

Anderson,
Clasmann,
Dawson,
Fischer,

Nitschke,
North,
Platt,
Powell,

Glass,
Hancock,
Hume,
Jackson,
Ketchum,
Linn,
Miller.

Raymond,
Schneider,
Schuber,
Shelley,
Taylor,
Townsend.

Tax. 10 Cents. By Alderman North-

An Ordinance Entitled "An

Ordinance providing for the levy and collection of a tax of 10 Cents on each one hundred dollars worth of property within the former limits of the City of Austin to pay the interest on the valid bonds of the City of Austin issued prior to May 1, 1890."

It was read and on motion the rules were suspended and the ordinance placed on its second reading by the following Vote:

Year - 2.1.

Aldermen
Anderson,
Assmann,
Dawson,
Fischer,
Glass,
Hancock,
Hume,
Jackson,
Ketchum,
Linn,
Miller.

Nitschke,
North,
Platt,
Pewell,
Raymond,
Schneider,
Schuber,
Shelley,
Taylor,
Townsend.

The ordinance was then read a second time, whereupon a motion was made to suspend the rules and place the same on its third reading which was adopted by the following Vote:

Year - 2.1.

Aldermen

Anderson,
Assmann,
Dawson,
Fischer,
Glass,
Hume,
Hancock,
Jackson,
Ketchum,
Linn,

Miller,
Nitschke,
North,
Platt,
Pewell,
Raymond,
Schuber,
Schneider,
Shelley,
Townsend,
Taylor.

The ordinance was accordingly read a third time, and an motion passed by the following Vote:

Year - 2.1.

Aldermen

Anderson,
Assmann,
Dawson,
Fischer,

Miller,
Nitschke,
North,
Platt,

Glass,
Hancock,
Hume,
Jackson,
Ketchum,
Linn,
Powell,
Raymond,
Schneider,
Schubel,
Shelley,
Taylor,
Townsend.

John, W.H.
\$400.

(By Alderman Shelley) An Ordinance appropriating the sum of \$400 for the purpose of paying the claim of W.H. John for damages by reason of the establishment of a small-pox Camp on his land and the burial of persons who had died of small pox near said land.

It was read and on motion placed on its second reading by a vote of two-thirds of the whole board of Aldermen.

It was accordingly read, after which Alderman Glass moved to amend the Caption and Section 1 thereof by striking out "four hundred" and inserting in lieu thereof "One hundred and fifty dollars with the legal rate of interest."

Alderman Linn moved as a substitute that the sum of \$400 be stricken out of the Caption and Section 1 and the sum of \$250 be inserted. The substitute was lost by the following vote:

Aldermen -	Yeas - 6. Jackson, Linn, North, Nays - 15. Schneider, Schubel, Townsend.
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Aldermen -	Anderson, Assmann, Dawson, Fischer, Glass, Hancock, Hume, Ketchum. Miller, Nitschke, Slatl, Powell, Raymond, Shelley, Taylor.
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The question having returned on the adoption of the amendment offered by Alderman Glass, the same was put and lost by the following vote:

Aldermen -	Yeas - 9. Assmann, Fischer, Glass, Jackson, Ketchum. Linn, Nitschke, North, Schubel.
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Aldermen -	Anderson, Dawson, Hancock, Hume, Miller. Powell, Raymond, Schneider, Shelley, Taylor.
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" Alderman Schneider then moved to amend the caption and Section 1 of the Ordinance by striking out "\$100" and inserting in lieu thereof "\$200", which was adopted by the following Vote:

Aldermen - Yeas - 11.

Hessmann,
Dawson,
Fischer,
Glass,
Jackson,
Ketchum,

Linn,
Kitschke,
North,
Schneider,
Schuber,

Aldermen - Nays - 10.

Anderson,
Hancock,
Hum,
Miller,
Brett,

Powell,
Raymond,
Shelley,
Taylor,
Townsend,

A motion was then made to suspend the rules and place the Ordinance on its third reading, which was lost by the following Vote:

Aldermen - Yeas - 12.

Aldermen -

Hessmann,
Dawson,
Fischer,
Glass,
Jackson,
Ketchum,

Linn,
Kitschke,
North,
Brett,
Schneider,
Schuber,

Aldermen - Nays - 9.

Anderson,
Hancock,
Hum,
Miller,

Powell,
Raymond,
Shelley,
Taylor,
Townsend.

City Cemetery \$15⁰⁰ By Alderman Platt.

An Ordinance appropriating Seventy-five dollars for the purpose of making improvements in the City Cemetery. It was read and referred to the Committee on Cemetery.

By Alderman Raymond -

An Ordinance to appropriate the sum of forty (\$40.00) dollars for the purpose of paying damages to J. H. Holland. It was read and referred to the Committee on Streets and alleys by a rising vote of 11 to 9. It was then moved that the Council stand adjourned and the motion was lost by a rising vote of 10 to 11.

By Alderman Raymond -

"Whereas, according to the report

Holland, J. H.
\$40.

Ward 10.

of the city treasurer, there had, up to October 2, 1893, accumulated to the credit of the water and light (or dam) bonds, a sinking fund amounting to twenty thousand dollars (\$20,000); and

Whereas, The city charter of the City of Austin, Section 38, provides that, "said sinking fund shall be invested whenever as much as one thousand dollars shall be accumulated, in interest bearing bonds of the United States, or of the State of Texas, or of the City of Austin"; and,

Whereas, Said Section 38 of the city charter of the City of Austin, has up to the present time been ignored, and the said sinking fund has been allowed to accumulate and lie idle, when it should have been invested that it might have been drawing interest and redounding to the financial benefit of the City; and,

Whereas, The investment of said sinking fund would now materially aid in bridging over the "financial stringency" in which the City is at present placed; and,

Whereas, A sound financial policy and a strict compliance with the provisions of Section 38 of the City Charter strongly suggest that said sinking fund should be immediately invested;

Therefore,

Be it resolved by the City Council of the City of Austin, That the mayor of the City of Austin is hereby authorized and instructed to at once invest the said twenty thousand dollars (\$20,000) of the accumulated sinking fund of the water and light bonds by purchasing therewith twenty thousand dollars (\$20,000) of the yet uncollected water and light bonds of the City of Austin.

Resolved further, That the mayor is authorized and instructed to pay for said water and light bonds their face value.

Resolved further, That the twenty thousand dollars (\$20,000) thus realizing from the sale of water and light bonds by the investment of the sinking fund therein, be used directly in rebuilding the headgate masonry and the power-house now in course of construction.

Alderman Nitzeke moved to refer the preamble and resolutions to the Committee on Finance, and while the motion was pending the Council adjourned.

Milton Morris,
City Clerk.